

## **REMARKS**

In accordance with the foregoing, claims 1, 70, and 71 are amended. No new matter is added. Claims 1, 14, 18, 22, 26 and 70-72 are pending and under consideration.

### **CLAIM OBJECTIONS**

The noted informality relative to claim 70 is corrected herewith.

### **CLAIM REJECTIONS UNDER 35 U.S.C. §102**

In the Office Action, claims 1, 18, 22 and 70-72 are rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent Publication No. 2001/0040625 to Okada, et al. (hereinafter "Okada").

Relative to claim 1, in the Amendment filed on June 12, 2006, Applicants argued that Okada does not disclose the "image manipulating means for manipulating said image data, which has been read out from said image obtaining apparatus, by a predetermined manipulation process yielding resulting image data." In response to the Applicants' argument, the Office Action asserts that "from the image forming apparatus" is not recited in claim 1, and that the language of claim 1 does not preclude the manipulating means to be part of the image obtaining apparatus. Applicant amend herewith claim 1 to address these issues and reiterate the previously presented arguments. The amended claim 1 makes it clear that the image forming apparatus (the camera) is outside the image dispensing system recited in claim 1. The newly added recitation to claim 1, an image reader, is fully supported by the originally filed specification, for example, element 21 in FIGS. 1, 3, and 6.

Applicants respectfully submit that amended claim 1 patentably distinguishes over Okada because Okada does not teach or suggest at least

- an image reader reading the image data from the image obtaining apparatus before the consumer returns the image obtaining apparatus; and
- image manipulating means for manipulating said image data, which has been obtained by said image obtaining apparatus, by a predetermined manipulation process which yields resulting image data.

In view of the amended claim language, no elements inside the digital camera 10 of Okada cited as disclosing the elements are appropriately cited as teaching the features of claim 1.

Claims 14, 18, 22, and 26 are also patentable at least by inheriting patentable features from independent claim 1.

Regarding independent claim 70, Applicants respectfully submit that the claim language makes it clear that the image data is read **from** an image forming apparatus. However in the outstanding Office Action, elements of the image forming apparatus 10 of Okada are indicated as disclosing the elements of the image recording apparatus. For example, on page 7 of the outstanding Office Action, the CCD 12, the control portion 14 and the image processing 13 from the digital camera 10 are indicated as teaching the image reader and the image manipulator of claim 70. Meanwhile the image station apparatus of FIG. 5, which is outside the digital camera is cited in the Office Action as relevant relative to the features of the image writer recited in claim 70. In order to make it clearer that the image recording apparatus is outside the image forming apparatus, Applicants amend the language of claim 70 herewith. In view of the amended language, Applicants respectfully submit that the CCD12 and the image processing portion 13 of Okada form images one by one and do not therefore anticipate the “imager reader reading image data corresponding to a plurality of raw images stored in an image forming apparatus removably connected to the image recording apparatus” and the “image manipulator processing the image data to generate a plurality of processed images.” Thus, Okada does not teach or suggest all the features of claim 70, and therefore claim 70 patentably distinguishes over the cited prior art.

Regarding claim 71, the same misunderstanding of the claimed subject matter as for claim 70 permeates the anticipation rejection. That is, images (as a plurality and not one by one) are read out from the camera and processed. Digital camera elements that form the images one by one as disclosed for the digital camera 10 of Okada do not anticipate the operations of the method of claim 71. Applicants amend herewith the claim language for the sole purpose of making it clear that the method is performed outside the image forming apparatus (i.e., the digital camera). Applicants respectfully submit that claim 71 is also patentable.

Regarding claim 72, the anticipation rejection is based on the same figures and paragraphs of Okada as the rejection of claim 70. However, Applicants respectfully submit that claim 72 is very clear that the image dispensing apparatus reads images “from an image data storing unit of an image forming apparatus” (see the claim preamble). Therefore, citing any elements inside of the digital camera in Okada as disclosing the features of claim 72 is inappropriate.

Applicants respectfully request withdrawal of the FINALITY of the Office Action because the Examiner did not meet the burden of proof for anticipation at least regarding claim 72. Additionally, Applicants respectfully submit that all the claim amendments are introduced with the sole purpose of making it clearer that the image dispensing system which is the object of the application is not inside a camera which is a feature that at least claim 72 has always recited very clearly and is not anticipated by Okada or any other cited prior art references.

#### **CLAIM REJECTIONS UNDER 35 U.S.C. §103**

In the Office Action, claims 14 and 22 are rejected under 35 U.S.C. §103(a) as being unpatentable over Okada in view of U.S. Patent No. 6,522,418 to Yokomizo et al. ("Yokomizo").

Yokomizo does not cure the above-identified failure of Okada in teaching or suggesting all the patentable features of independent claim 1. Therefore, Applicants respectfully submit that claim 14 and 22 depending from claim 1 are patentable.

#### **CONCLUSION**

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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